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Education and Local Government Interim Committee
Montana State Legislature
Helena, Montana

Dear Committee,

June 18, 2012



I'm here today because I see inequity in the current subdivision laws and the five drafts the Committee is suggesting. Also - why aren't there any landowners on your committee? The people of Montana are not being represented. I have been in real estate for over 40 years and cannot understand how this law has been left on the books. In this economic crisis should a landowner be burdened by having to pay \$30,000 or more to subdivide...when he only wanted to rent something so he can eat or has an idea of how to provide an income for his family?

The lease and rental of property should NOT be in the Subdivision and Platting Act.

LCEdo1 - Spot zoning opens the door to full zoning in counties that don't want zoning. Exempting one landowner because he is already renting or leasing his land - but stopping the next landowner that wants to make a living from this date on is prejudice and unfair and unconstitutional.

*** LCEdo2** If this draft will omit Rent and Lease out of the Subdivision and Platting Act, it is the best choice for landowners, by as Ms. Thigpen says "leaving these structures to existing law"

After didacting 76-3-202 and 76-3-204 a phrase of guarantee could state " leasing and renting of structures and improvements is not a division of land.

LCEdo3 - There shouldn't be any review of a structure if you want to rent or lease a building, land or improvements. If the State Dept of Health approves your septic system per one acre requirement, you should be good to go.

LCEdo4 - Again, there shouldn't be any review of whether or not you can have a second structure or more on your land if you have the health departments blessing.

LCEdo5 - This is not a subdivision of land, therefore shouldn't be in the Subdivision and Platting Act. Also you are creating **SPOT ZONING** where none exists in that County. The language should read "the subdivider may extend or suspend for one year (not the agency) No hardship should be placed upon the person trying to make a living! In limbo for a year isn't a good option.

Subdivisions existing before this law are exempt??!! This is not equitable for Citizens.

I am a community leader and spokesperson for over 700 families, I have several businesses, (I'm old), I had my own legislation signed by the governor last session, I plan on working on this issue next session. Thank you for considering the Constitutions and property rights. Thank you, Niki Coffin Sardot